

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

WRIT PETITION NO : 6528, 14471, 14489, 10513 and 15826 of 1995

W.P. No. 6528 of 1995

Between:

R. Narasimha Murthy, S/o Seetharamaiah,
Food Corporation of India, Guntur.

..... PETITIONER

AND

- 1 Food Corporation of India, Rep. by Managing director
16-20, Barakhamba Lane, FCI, New Delhi.
- 2 The Executive Director (Personnel)
FCI, 16-20, Barakhamba Lane, New Delhi.
- 3 The Executive Director (Vigilance)
FCI, 16-20, Barakhamba Lane, New Delhi.
- 4 The Executive Director,
FCI, 16-20, Barakhamba Lane, New Delhi.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order, direction or writ, more particularly in the nature of writ of Mandamus declaring the entire procedure process of selection including the preliminary and main selection of the candidates to the post of Deputy Manager (GA) pursuant to the notification Published in 'THE HINDU' on 3.11.93 illegally, arbitrary.

Counsel for the Petitioner: MR.A.V.SIVAIAH

Counsel for the Respondents: MR.RATNAKAR REDDY (SC FOR FCI)

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WRIT PETITION NO : 14471 of 1995

Between:

- 1.P.Muniswara Rao S/o. P.Rama Rao
R/o. 4-44-21, Subbaraopet,
Tedepalligudem, West Godavari District.
- 2 Yandra Ramesh S/o. Y.Veera Raghavulu
Regional Office, HACA Bhavan,
Hyderabad-500 004.

.... PETITIONERS

AND

- 1 Food Corporation of India rep.by its Managing Director
16-20, Barakhambalane, New Delhi - 110 001.
- 2 Food Corporation of India,16-20, Barakhambalane
New Delhi - 110 001.
- 3 The Executive Director (Vigilance) Food Corporation of India
16-20, Barakhambalane, New Delhi - 110 001.
- 4 The Executive Director Food Corporation of India
16-20, Barakhambalane, New Delhi - 110 001.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue any appropriate writ order or direction more in the nature of a Writ of Mandamus declaring the entire procedure process of selection including the preliminary and main selection conducted by the respondents for selection of candidates to the post of Deputy Manager (General) pursuant to the notification published in Hindu on 03.11.1993 illegal and arbitrary.

Counsel for the Petitioner: SMT.M.BHASKARA LAKSHMI

Counsel for the Respondents: MR.MEHERCHAND NOORI

WRIT PETITION NO : 14489 of 1995

Between:

- 1 Rao Venkata Suryaraja S/o. Seetharamaswamy

Food Corporation of India Tadepallidudem
West Godavari District
2 Adduri Srihari Rao S/o. Krishna Rao
Food Corporation of India, R/o. Nidadavolu (Under District Office,
Tadepallidudem) West Godavari District.

.... PETITIONERS

AND

- 1 Food Corporation of India rep. by its Managing Director
16-20, Barakhambalane, New Delhi-110 001.
- 2 The Executive Director (Personnel) Food Corporation of India
16-20, Barakhambalane, New Delhi-110 001.
- 3 The Executive Director (Vigilance) Food Corporation of India
16-20, Barakhambalane, New Delhi-110 001.
- 4 The Executive Director Food Corporation of India
16-20, Barakhambalane, New Delhi-110 001.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ order or direction more in a nature of writ of mandamus and declare the action of the Respondents in relaxing the age restriction in case of certain employees and not informing about the age relaxation to all the in service candidates and thereby depriving the petitioners the opportunity of applying for the post of Deputy Manager(General) pursuant to the advertisement as published in "Hindu" on 03.11.1993 as arbitrary illegal and violative of Article 14 of the Constitution of India and consequently direct the Respondents to provide an opportunity for the petitioners to apply for the post of Deputy Manager (General) and call them for interview and appoint them in the said posts if they qualified themselves.

Counsel for the Petitioners: SMT.M.BHASKARA LAKSHMI

Counsel for the Respondents: MR.MEHERCHAND NOORI

WRIT PETITION NO : 10513 of 1995

Between:

N.T. Ramalinga Reddy S/O N.T.Hanumantha Reddy
Food Corporation of India Mahaboobnagar

..... PETITIONER

AND

- 1 The Managing Director Food Corporation of India
16-20, Barakhamba Lane, Headquarters,
New Delhi.

2 The Manager (Personnel Establishment) Food Corporation of India,16-20,
Barakhamba Lane, Headquarters,
NEW DELHI.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ order or direction more particularly one in the nature of mandamus declaring the action of the respondents in not extending the opportunity of being considered for recruitment to the posts of Deputy Manager (Technical) by relaxation of upper age by specified years uniformly to all similarly situated persons as illegal and unconstitutional and consequently direct the respondents to consider the case of the petitioner for recruitment to the post of Deputy Manager (Technical) pursuant to the notification issued during 1st week of November, 1993.

Counsel for the Petitioner: MR.N.SUBBA REDDY

Counsel for the Respondents 1 and 2 : Mr Meherchand Noore

WRIT PETITION NO : 15826 of 1995

Between:

K.Eswara Dutt, S/O.late Mallikarjuna Rao,
Food corporation of India, Tadepalligudem,
W.G.Dist.

..... PETITIONER

AND

- 1 Food Corporation of India, rep.by Managing Director,
16-20,Barakhamba lane, Head Quarters, New Delhi,
- 2 The Manager,(Personnel Establishment) Food corporation of India,16-20,
Barkhamba lane, Head Quarters, New Dellhi-110 001
- 3 The Executive Director (PE) Food corporation of India,
16-20, Barkhamba lane, Head Quarters, New Delhi-110 001

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue any appropriate writ, order or direction more in the nature of a writ of mandamus and declare the action of the respondents is not calling the petitioner for the interview for the post of Deputy Manager (technical) pursuant to the notification in Hindu on 3/11/1993 in spite of the petitioners application as arbitrary, illegal and violative of Article 14 and 16 of the constitution of India and consequently direct the respondents to conduct the interview for the petitioner for the post of Deputy manager (Technical)in response to the petitioner's application pursuant to the notification published in Hindu on 3.11.1993

Counsel for the Petitioner: SMT.M.BHASKARA LAKSHMI

Counsel for the Respondents: MR.MEHERCHAND NOORI

The Court made the following:

COMMON ORDER:

These Writ Petitions are covered by the Order of this Court in W.P. No. 18960 of 1994 dated 06.03.1996. It is also brought to the notice of this Court that the Order in the aforesaid case was affirmed by a Division Bench of this Court in W.A. No. 659 of 1996, dated 09.07.1996. In view of the above situation, the present Writ Petitions also shall stand dismissed.

In the result, all these Writ Petitions are dismissed. No costs.

01-10-2004

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To

1. The Managing Director, Food Corporation of India,
16-20, Barakhamba Lane, FCI, New Delhi.
- 2 The Executive Director (Personnel)
FCI, 16-20, Barakhamba Lane, New Delhi.
- 3 The Executive Director (Vegillance)
FCI, 16-20, Barakhamba Lane, New Delhi.
- 4 The Executive Director,
FCI, 16-20, Barakhamba Lane, New Delhi.
5. 2 CCs to SC for FCI, High Court, Buildings, Hyderabad (OUT)
6. 2 CD copies.